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September 28, 1990

RE: Himco Landfill
Elkhart, Indiana

Ms. Debbie Fript
US EPA - Region V
Emergency Support Section 5HS-12
230 South Dearborn Street
Chicago, Illinois 60604

Dear Ms. Fript:

I am writing in response to the general notice letter, dated September 4, 1990, which was forwarded to my client, Henkels & McCoy, Inc., advising that the EPA would consider an offer to perform or finance actions to connect homes located on County Road 10 in Elkhart, Indiana to the municipal water supply.

Henkels & McCoy has considered your request to finance or undertake this response activity. As you may be aware, Henkels & McCoy at this time has no information which would indicate that any materials which may have been transported for disposal to the site contained hazardous substances. Moreover, we do not believe that Henkels & McCoy could have contributed to the sodium which EPA states has necessitated the hook-up of private residences to a public water supply. Furthermore, the amount of trash generated by Henkels & McCoy's Elkhart, Indiana location, even if disposed at this site, would have been relatively small in volume. Finally, we understand that at present, no PRP Committee exists so that Henkels & McCoy does not have the opportunity to join with others in considering participation in this response activity. Due to the above, at this time, Henkels & McCoy must decline to assume the responsibility for performing or financing the response activity set forth in EPA's most recent general notice letter.

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Notwithstanding the above, Henkels & McCoy remains interested in joining with other PRPs to consider participation in future response activities at this site. Should EPA be advised that a committee has formed for this purpose, we would appreciate being advised of same so that we can discuss a joint response with other PRPs, as appropriate.

The contact person for Henkels & McCoy, Inc. is Jennifer Berke, Esquire, Kelly, McLaughlin & Foster, 1700 Atlantic Building, 260 South Broad Street, Philadelphia, PA 19102; phone number (215) 790-7900, fax number (215) 985-0675.

Finally, we would greatly appreciate if you could provide the undersigned, at our expense, with any information which you have concerning Henkels & McCoy, Inc. and its alleged nexus with the Himco Site as well as the RI/FS, if it has been completed. Of course, should you feel that a formal Freedom of Information Act request would be more appropriate, kindly advise.

Should you have any questions with regard to the above, please do not hesitate to contact me.

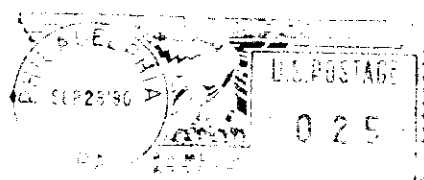
Very truly yours,

KELLY, McLAUGHLIN & FOSTER

BY:


Jennifer Berke

JB/mr
cc: Christine Crawford



FIRST CLASS MAIL

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TO:

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